0/627,589

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

KUSLICH ET AL.

Examiner:

UNKNOWN

Serial No .:

10/627,589

Group Art Unit:

3732

Filed:

JULY 25, 2003

Docket No.:

6683.13USC4

Title:

LAPAROSCOPIC SPINAL STABILIZATION SURGICAL METHOD

**CERTIFICATE UNDER 37 CFR 1.8:** 

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Office of Initial Patent Examination, Filing Receipt Corrections, P.O. Box 1450, Alexandria, VA 22313-1450 on April 21, 2004

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents Office of Initial Patent Examination Filing Receipt Corrections P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Enclosed is a photocopy of the filing receipt from the United States Patent and Trademark Office in the above-identified application showing requested corrections. The filing receipt is erroneous in the following respects as reflected in the papers originally filed:

- 1. One of the assignee's address is incorrect. It should read --MAPLEWOOD-- rather than "MINNEAPOLIS."
- 2. One of the domestic priority data which is claimed by the applicant is incorrect. It should read -- WHICH IS A CON OF 08/015,863 02/10/1993 ABN-- rather than "WHICH IS A DIV OF 08/015,863 02/10/1993 ABN."

Correction of the records of the United States Patent and Trademark Office and issuance of a corrected filing receipt are respectfully solicited.

Respectfully submitted,

23552 PATENT TRADEMARK OFFICE

MERCHANT & GOULD P.C.

P.O. Box 2903

Minneapolis, Minnesota 55402-090

(612) 332-530

David G. Schmaltz Reg. No. 39,828

DGS:PLStov

Date: 4/29/04



### United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Addres: COMMISSIONER FOR PATENTS P.O. DOX 1450 Alexandris, Viginia 22313-1450 www.unplugov

FILING OR 371 APPL NO. ART UNIT FIL FEE REC'D ATTY.DOCKET NO TOT CLMS DRAWINGS IND CLMS (c) DATE 10/627,589 07/25/2003 3732 1080 2

6683.13USC4

19 30

23552

**MERCHANT & GOULD PC** P.O. BOX 2903

MINNEAPOLIS, MN 55402-0903



**CONFIRMATION NO. 2967** CORRECTED FILING RECEIPT 

\*OC000000012106679\*

Date Mailed: 03/15/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

apicw60

Stephen D. Kuslich, Minneapolls, MN: Douglas W. Kohrs, Edina, MN;

## **Assignment For Published Patent Application**

Sulzer Spine-Tech Inc., Minneapolis, MN;

#### Domestic Priority data as claimed by applicant

This application is a CON of 09/369,614 08/06/1999 PAT 6,599,320 which is a CON of 08/902,746 07/29/1997 ABN which is a DIV of 08/752,818 11/21/1996 PAT 5.947.971 which is a CON of 08/482,025 06/07/1995 PAT 5,720,748 which is a DIV of 08/299,807 09/01/1994 PAT 5,489,307 which is a <del>DIV</del> of 08/015,863 02/10/1993 ABN

Foreign Applications

If Required, Foreign Filing License Granted: 11/05/2003

Projected Publication Date: 04/29/2004

Non-Publication Request: No

Early Publication Request: No

**Title** 

Laparoscopic spinal stabilization surgical method

**Preliminary Class** 

606

# LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

#### **GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).